

CITY COUNCIL MEETING  
CITY COUNCIL CHAMBERS 400 EAST MILITARY, FREMONT NEBRASKA  
April 24, 2018  
7:00 p.m.

After the Study Session and Pledge of Allegiance, the Mayor called the meeting of the City Council to order and stated that a copy of the open meeting law is posted continually for public inspection located near the entrance door by the agendas. Roll call showed Council Members McClain, Legband, Landholm, Jacobus, Bechtel and Schaller present. Council Members Anderson and Kuhns absent. 6 Council Members present. Moved by Council Member Schaller seconded by Council Member McClain to approve items 5 through 6 and 10 through 13 of the consent agenda. Ayes: Jacobus, Landholm, Legband, McClain, Schaller, Bechtel. Nays: none. Anderson and Kuhns absent. Motion carried.

5. Dispense with and approve April 10, 2018 minutes
6. Receive and file Library Annual Report
10. Consideration of concrete license application for TNT Concrete
11. Resolution 2018-093 to allow the Fremont Police Department to apply for the NDOR Occupant Protection Enforcement Mini Grant - Click it or Ticket
12. Approve acknowledgement of the Tort Claim filed by Jovan Lausterer
13. Resolution 2018-094 of the City Council of the City of Fremont, Nebraska, authorizing the Fremont Department of Utilities Staff to contract with J&R Concrete and Construction install Flat work Concrete at two LDW Power Plant Locations

Move to approve April 11, 2018 through April 24, 2018 claims and authorize checks to be drawn on the proper accounts. Council Member Jacobus moved to approve the claims with the exclusion of \$1,521.57 for counsel on conflict of interest. Motion died due to lack of a second. Council Member Schaller moved, seconded by Council Member Legband to approve the claims as presented. Ayes: McClain, Legband, Landholm, Schaller, Bechtel. Nays: Jacobus. Absent: Anderson, Kuhns. Motion carried.

Resolution approving draft Aircraft Hangar Lease at the Fremont Municipal Airport. Council Member Schaller moved, seconded by Council Member Legband to amend the lease document to strike the second sentence of item 6f. Ayes: McClain, Legband, Landholm, Jacobus, Schaller, Bechtel. Nays: none. Absent: Anderson, Kuhns. Motion carried. Council Member Legband moved, seconded by Council Member Jacobus to approve Resolution 2018-090 and the lease as amended. Ayes: McClain, Legband, Landholm, Jacobus, Schaller, Bechtel. Nays: none. Absent: Anderson, Kuhns. Motion carried.

Resolution authorizing Change Order # 1 with NPL Construction for Extension to Gallery 23. Council Member Landholm moved, seconded by Council Member Jacobus to approve Resolution 2018-091. Ayes: McClain, Legband, Landholm, Jacobus, Schaller, Bechtel. Nays: none. Absent: Anderson, Kuhns. Motion carried.

Resolution authorizing the City Clerk to sign Special Designated License Local Recommendation form for events by St. Patrick's Catholic Church and Moonshine Hole LLC., dba LA Fire Proof Door Company. Council Member Legband moved, seconded by Council Member Schaller to approve Resolution 2018-092.



Ayes: McClain, Legband, Landholm, Jacobus, Schaller. Nays: none. Abstention: Bechtel. Absent: Anderson, Kuhns. Motion carried.

Resolution authorizing the Fremont Department of Utilities Staff to purchase a replacement Caterpillar 972 M Rubber Tired Loader from Nebraska Machinery through the National Joint Power Alliance. Council Member Legband moved, seconded by Council Member Jacobus to approve Resolution 2018-095. Ayes: McClain, Legband, Landholm, Jacobus, Schaller, Bechtel. Nays: none. Absent: Anderson, Kuhns. Motion carried.

Resolution authorizing the Fremont Department of Utilities Staff to purchase a John Deere 317G Skid Steer & trailer from Murphy Tractor & Equipment through the National Joint Power Alliance. Council Member Landholm moved, seconded by Council Member Schaller to approve resolution 2018-096. Ayes: McClain, Legband, Landholm, Jacobus, Schaller, Bechtel. Nays: none. Absent: Anderson, Kuhns. Motion carried.

Receive quarterly financial report. Council Member Schaller moved, seconded by Council Member Landholm to receive an updated staff report for the record. Ayes: McClain, Legband, Landholm, Jacobus, Schaller, Bechtel. Nays: none. Absent: Anderson, Kuhns. Motion carried. Council Member Legband moved, seconded by Council Member Jacobus to receive the quarterly financial report. Ayes: McClain, Legband, Landholm, Jacobus, Schaller, Bechtel. Nays: none. Absent: Anderson, Kuhns. Motion carried.

Ordinance to consider a request of Dodd Engineering & Surveying, LLC, on behalf of Deer Pointe Corporation & Charles H. Diers, LLC, owners of approximately 3.0 acres described as a 3.0 acre parcel of land located in the NW ¼ NE ¼ of Section 18, Township 17 North, Range 9 East of the 6th P.M., Dodge County, Nebraska, more generally located at Elk Lane, Fremont, Nebraska, for approval of an Ordinance approving a Zoning Change from R Rural to GC General Commercial (final reading). Council Member Landholm moved, seconded by Council Member Jacobus to hold final reading of the Ordinance. Ayes: McClain, Legband, Landholm, Jacobus, Schaller, Bechtel. Nays: none. Absent: Anderson, Kuhns. Motion carried. City Clerk provided final reading. Mayor Getzschman called for a final vote on the Ordinance. Ayes: McClain, Legband, Landholm, Jacobus, Schaller, Bechtel. Nays: none. Absent: Anderson, Kuhns. Ordinance 5440 approved.

Ordinance to consider a request of Olsson Associates on behalf of Cosentino Holdings, LLC, owner of approximately 115.8 acres located at 4551 E. 23rd St. for approval of an Amendment to Exhibit A of Ordinance 5405 to Amend to the PD Planned Development for a combination of residential and commercial properties (final reading). Council Member Landholm moved, seconded by Council Member Jacobus to approve final reading of the Ordinance. Ayes: McClain, Legband, Landholm, Jacobus, Schaller, Bechtel. Nays: none. Absent: Anderson, Kuhns. Motion carried. City Clerk provided final reading. Mayor Getzschman called for a final vote on the Ordinance. Ayes: McClain, Legband, Landholm, Jacobus, Schaller, Bechtel. Nays: none. Absent: Anderson, Kuhns. Ordinance 5441 approved.

Ordinance to consider a request of Thomas L. Stamper and Teresa L. Stamper, owners of 2740 N. Yager, consisting of approximately 6.15 acres described as a tract of land located in Lot 1, D. Schroeder's subdivision located in the northwest quarter of the southwest quarter of section 12, township 17 north, range 8 east of the 6th P.M., Dodge County, Nebraska, for approval of an Ordinance changing the zoning from BP Business Park to GC General Commercial (final reading). Council Member Schaller moved, seconded by Council Member Legband to approve final reading of the Ordinance. Ayes: McClain, Legband, Landholm, Jacobus, Schaller, Bechtel. Nays: none. Absent: Anderson, Kuhns. Motion carried. City Clerk provided final reading. Mayor Getzschman called for a final vote on the Ordinance. Ayes: McClain, Legband, Landholm, Jacobus, Schaller, Bechtel. Nays: none. Absent: Anderson, Kuhns. Ordinance 5442 approved.

Ordinance to consider amendments to Chapter 11 of the Fremont Municipal Code pertaining to zoning and subdivision regulations, hereinafter referred to as the City's Unified Development Ordinance: (ii)



Article 4, Section 44-405, Subsection 11-405.02., (iii) Article 11, Subsection 11-713.02. (iv) Article 11, Section 11-502, Subsection 11-502.01, (v) Article 11, Subsection 11-602.02, (vi) inserting page numbers (final reading). Council Member Jacobus moved, seconded by Council Member Legband to approve final reading of the Ordinance. Ayes: McClain, Legband, Landholm, Jacobus, Schaller, Bechtel. Nays: none. Absent: Anderson, Kuhns. Motion carried. City Clerk provided final reading. Mayor Getzschman called for a final vote on the Ordinance. Ayes: McClain, Legband, Landholm, Jacobus, Schaller, Bechtel. Nays: none. Absent: Anderson, Kuhns. Ordinance 5443 approved.

Resolution approving a variance to permit the use of combustible exterior building materials to erect privacy fence at 236 W. 6<sup>th</sup> Street. Council Member Schaller moved, seconded by Council Member Jacobus to approve Resolution 2018-097. Ayes: McClain, Legband, Landholm, Jacobus, Schaller, Bechtel. Nays: none. Absent: Anderson, Kuhns. Motion carried.

Resolution authorizing the City of Fremont Fire Department to purchase a new 2018 Braun Super Chief/International Ambulance with the North Central Emergency Vehicles through the Houston Galveston Area Council (H-GAC). Council Member Bechtel moved, seconded by Council Member Landholm to approve Resolution 2018-098. Ayes: McClain, Legband, Landholm, Jacobus, Schaller, Bechtel. Nays: none. Absent: Anderson, Kuhns. Motion carried.

Receive and file Street Department Annual Report. Council Member Schaller moved, seconded by Council Member Legband to approve Resolution 2018-099. Ayes: McClain, Legband, Landholm, Jacobus, Schaller, Bechtel. Nays: none. Absent: Anderson, Kuhns. Motion carried.

Resolution authorizing the Mayor to sign a prepay gas supply contract with Public Energy Authority of Kentucky. Council Member Landholm moved, seconded by Council Member Jacobus to approve Resolution 2018-100. Ayes: McClain, Legband, Landholm, Jacobus, Schaller, Bechtel. Nays: none. Absent: Anderson, Kuhns. Motion carried.

Resolution accepting and awarding bid of Weiss Construction Co., LLC, for 2017 Wastewater Treatment Plant Anaerobic System. Council Member Jacobus moved, seconded by Council Member Legband to approve Resolution 2018-101. Ayes: McClain, Legband, Landholm, Jacobus, Schaller, Bechtel. Nays: none. Absent: Anderson, Kuhns. Motion carried.

Resolution for DP Management (Fremont Mall) LB840 application. Council Member Schaller moved, seconded by Council Member Landholm to deny. Ayes: McClain, Legband, Landholm, Jacobus, Schaller, Bechtel. Nays: none. Absent: Anderson, Kuhns. Motion carried.

Resolution approving the modifications to the Film Incentive Program Guidelines. Council Member Jacobus moved, seconded by Council Member Landholm to approve Resolution 2018-102. Ayes: McClain, Legband, Landholm, Jacobus, Schaller, Bechtel. Nays: none. Absent: Anderson, Kuhns. Motion carried.

Resolution approving additional funding for Housing Management for Community Development Block Grant (CDBG) Contract No. 15-CR-003. Council Member Schaller moved, seconded by Council Member Landholm to approve Resolution 2018-103. Ayes: McClain, Legband, Landholm, Jacobus, Schaller, Bechtel. Nays: none. Absent: Anderson, Kuhns. Motion carried.


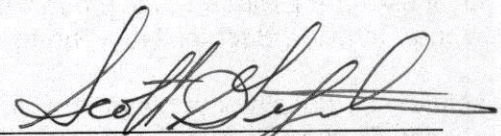
Resolution authorizing the Mayor to execute the necessary documents related to the budget amendment request for Nebraska Affordable Housing Trust Fund 15-TFHO-15038 to reallocate funds from Housing Rehabilitation to Housing Management. Council Member McClain moved, seconded by Council Member Schaller to approve Resolution 2018-104. Ayes: McClain, Legband, Landholm, Jacobus, Schaller, Bechtel. Nays: none. Absent: Anderson, Kuhns. Motion carried.



Moved by Council Member Landholm seconded by Council Member Jacobus to adjourn the meeting. Ayes: McClain, Legband, Landholm, Jacobus, Schaller, Bechtel. Anderson and Kuhns absent. Motion carried. Meeting adjourned at 10:24 p.m.

I, Tyler Ficken, the undersigned City Clerk, hereby certify that the foregoing is a true and correct copy of the proceedings had and done by the Mayor and Council; that all of the subjects included in the foregoing proceedings were contained in the agenda for the meeting, kept continually current and available for public inspection at the office of the Clerk; that such agenda items were sufficiently descriptive to give the public reasonable notice of the matters to be considered at the meeting; that such subjects were contained in said agenda at least twenty-four hours prior to said meeting; that at least one copy of all reproducible material discussed at the meeting was available at the meeting for examination and copying by the members of the public; that the said minutes were in written form and available for public inspection within ten working days and prior to the next convened meeting of said body; that this meeting was preceded by publicized notice in the Fremont Tribune and the agenda, including notice of study session, were displayed in the Municipal Building and distributed to the Mayor and Council on April 20, 2018 and is open to the public; that all news media requesting notification concerning meeting and the subjects to be discussed at said meeting and that a current copy of the Nebraska Open Meetings Act was available and accessible to members of the public, posted during such meeting in the room in which such meeting was held.

APPROVED AND ACCEPTED THIS 8TH DAY OF APRIL AS THE OFFICIAL COPY OF THE FREMONT, NEBRASKA CITY COUNCIL MINUTES FOR APRIL 24, 2018.

  
Tyler Ficken, City Clerk  
Scott Getzschman, Mayor